

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

ERNEST ADIMORA-NWEKE,

Plaintiff,

V.

1:23-CV-1048-DII

STEVEN C. MCGRAW, *Director of Texas
Department of Public Safety*, TEXAS

DEPARTMENT OF PUBLIC

SAFETY, HON. JUDGE LYNN HUGHES, *in
her Official
Capacity*

Defendants.

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Mark Lane concerning Plaintiff Ernest Adimora-Nweke (“Plaintiff”) complaint pursuant to 28 U.S.C. § 1915(e), 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. (R. & R., Dkt. 9). In his report and recommendation, Judge Lane recommends that the Court dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B). (*Id.* at 2). Plaintiff timely filed objections to the report and recommendation. (Objs., Dkt. 10).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de novo review by the district court. 28 U.S.C. § 636(b). Because Johnson timely objected to the report and recommendation, the Court reviews the report and recommendation de novo. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiff's objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Mark Lane, (Dkt. 9), is **ADOPTED**. Plaintiff's complaint, (Dkt. 1), is **DISMISSED WITH PREJUDICE**. Plaintiff's motions, (Dkts. 2, 8), are **DISMISSED AS MOOT**.

The Court adopts the magistrate judge's admonishment in full. Accordingly, the undersigned **ADMOMISHES** Plaintiff not to file obviously frivolous lawsuits that lack a basis in law. The undersigned, again, borrows from the Hon. Charles Eskridge and warns: "Plaintiff Ernest Adimora-Nweke is **ADMONISHED** that if he continues to abuse the process of this Court or otherwise engage in bad faith litigation practices, a preclusion order barring further unauthorized practice, including as a pro se litigant, will be entered." *Adimora-Nweke v. McGraw*, 2022 U.S. Dist. LEXIS 104590, at *5 (italics added, capitals in original).

SIGNED on October 18, 2023.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE